

PROBATION DEPARTMENT

"Protection, Service & Accountability"



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James E. Salio
Chief Probation Officer



Community Corrections Partnership (CCP)

Monday, December 15, 2014

Probation Classroom

Jim Salio, Chair

MINUTES

Attendees:

Community Corrections Partnership Title (or designee) – Name

Chief Probation Officer – Jim Salio

The Presiding Judge of the Superior Court – Susan Matherly, Michael Powell

A County Supervisor or CAO – Geoff O'Quest

The District Attorney – Dan Dow, Linda Dunn

DA Victim Witness – Debra Vallely

Sheriff – Ian Parkinson

The Public Defender – Patricia Ashbaugh

A Chief of Police – Robert Burton

Department Head of County Employment – Not available

Behavioral Health – Star Graber

Drug and Alcohol Services – Star Graber

Department Head of Social Services – Not available

Health Agency – Jeff Hamm, Michelle Shoresman

The Head of the County Office of Education – Not available

Probation – Chief Deputy Robert Reyes, Wendy White, Amy Gilman, Virginia Collie

35th State Assembly Representative – Not available

Senator Monning's Representative - Not available

A representative from a community-based organization – Not available

I. Welcome and Introductions

The meeting was called to order at 3:00 pm.

II. Approval of Minutes

There was a motion made by Ian Parkinson and seconded by Dan Dow to approve the minutes from November 17th. All in favor, motion carried.

III. Public Comment

None.

IV. Programs Update

Nothing to report.

V. Treasurer's Report

Wendy White reported we have received the \$50,000 for the community recidivism grant allocation.

The Executive Committee has already assembled the 15-16 CCP budget. This did not include any now known cost increases, such as salary raises, workman's compensation/liability insurance increases, Colas, etc., so those numbers will have to be readjusted. For those known cost increases that are funded through AB 109, it is our recommendation to include them, along with the offsetting increase in revenue, for the 15-16 budget preparation process. The 15-16 CCP budget will then be readjusted to reflect these additional known costs. Wendy will send out an email regarding this information. Once all of those numbers are completed she will readjust the 15-16 CCP budget so you will have a more clear idea of exactly where we are with regard to unspent funds.

VI. Variable factors Affecting Distribution of Realignment Growth Funds

County CAO Dan Buckshi wanted Jim Salio to bring up a discussion about the variable factors that go into the state's reallocation formula and what we can do to positively affect those performance measures. Part of the reallocation formula is static numbers based upon county demographics and population size, and part of it is the state growth money. The state strongly believes that growth payments should be tied to incentives and performance. Beginning in 2015-16, growth will be distributed entirely on performance factors based on the following: 80% for SB 678 success (Probation departments reducing the number of persons sent to jail/prison) and 20% for incarceration rates, which includes the county's reduction year over year in overall new prison admissions (fixed dollar amount per number reduced), the county's reduction year over year in overall new prison admissions (10%) and success measured by per-capita rate of prison admissions (10%).

There was a question as to whether Proposition 47 would affect any of this and Jim felt it would affect the numbers of people that are just sent to prison overall, so that would be related to the SB678 success. Dan Dow stated it could go down because new offenses that were felonies would now be misdemeanors and wouldn't be sentenced to prison. Discussion ensued about making good decisions on where to invest our money and which programs are accomplishing our objectives and satisfying the state requirements as far as recidivism. We are trying to measure our recidivism rate by looking at what treatment programs clients are enrolled in and seeing how that correlates with who has been sent to prison. We need to work on establishing a baseline and then incorporating specific data such as second strike admissions, and identifying which agencies might be tracking this type of data in their systems.

Robert Reyes stated that all of our realignment money has previously been targeted to those coming out of prison (PRCS). A population to focus on now is the felony probation population. If you want to reduce the overall number of persons going to prison, you should focus on people that have not yet gone to prison and try to steer them away from that.

Susan Matherly asked how we are going about determining which programs are successful, and how they are being evaluated. Jim stated we are working toward that, but it is hard to compare across programs because there is no control group. We do compare the PRCS population against the general population and the post population is doing better but it is difficult to identify the specific factors that are accomplishing that. Ian Parkinson felt his department could now report out on what they have been accomplishing at the in-custody jail level because all the components of the cycle are now in place. Sober living beds and other

programs have been established on the outside and those community handoffs are now established. Most of their programming has been occurring at the honor farm level because it is easier to hold group sessions there rather than in the jail itself. It is difficult to determine what to measure against when looking at success. There needs to be consistent measurement on how we are doing from year to year. There is a program review group that is working on establishing these measurements and the consistency in how programs are being applied. Outcomes were identified a few years ago but we have not been ready to measure those. A difficulty is the small sample size. We know the performance factors we have to accomplish per the state, but local officials want to see local results, and if you don't have a sufficient sample size it is hard to measure. It is a huge resource to do the type of analysis that needs to be done on these outcome measurements and determining what to compare them with. Important questions to consider are what factors are effecting behavioral change or reduction in crime.

Jim reported that Probation had been doing really well in reducing the number of persons being sent to state prison as we had more control over what sentencing measures were being recommended. But now there has been an increase in 1170(h) direct sentencings which is driving up the number of incarcerations again. So they are working with the state to try and find a different baseline than the one that was established prior to realignment. The outcomes the state is using to divide up the growth money is not a result of realignment. They were in place before realignment, but the state is trying to incentivize the counties to work with the general population as well as the realignment population in reducing the overall prison population.

Probation uses their risk and assessment tool to measure recidivism. It helps them to target their interventions in dealing with the people who have a higher risk score. Probation caseloads account for 45% of the new 1170(h) sentencings to prison so 55% is coming from the population that has never been on probation but is being directly sentenced to 1170(h). In order to reduce our entire County incarceration rate, it may be useful to look at the plea bargaining process. This may be one of the practices that we can effect in our County to drive these numbers down. The DA's overall goal is to still have a just outcome as a result of the plea bargain; if that warrants a person getting into a program in lieu of prison ahead of time, then that could happen, but deferring people from being sent to prison just in order to receive more growth money should not be done. Susan felt it might be useful to incorporate the risk assessment into the plea bargain. Pre-plea reports from Probation could help to give more information in that decision to drive the plea, based on risk as opposed to what the offense was or prior history. Pre-pleas can also help with split sentencing and determining what programs people would be amenable to.

VII. Potential Impacts of Proposition 47

Ian Parkinson reported that a lot of counties are recording lower numbers of in-custody rates. November and December are generally slower months anyway. As of right now, measuring against the last two years (12-13 and 13-14) they are down about 100 in population and down 100 in booking. The reduction in booking is expected because of the misdemeanors; police departments have been notified to not bring in persons for booking if they qualify for cite out. Right now they do not know if this is due to Prop. 47 or just the time of year. They have 261 conviction commitments scheduled for January but that number could be lower due to no-shows or alternative sentencing. They are not seeing any of the Prop. 47 people yet, but they typically the drug charges stay in their custody because they can't bail, so could receive treatment before being convicted.

Patricia Ashbaugh reports that sometimes program fees are an issue for incarcerants. It's just one more thing for them to pay for so they don't participate. Star Graber stated that the Affordable Care Act will pay for a lot of programs except the DUI Programs. She announced that effective in January all of the Behavioral Health and Drug and Alcohol programs will be going to a sliding fee scale.

Dan Dow reported that it is still too early to tell if the DA's office will be affected by Proposition 47. They have had a considerable number of petitions, approximately 180. It has been a lot of extra work. The Public Defender has logged in 407 cases and the court has received several petitions as well. The court has an event code in their data system to be able to track the actual numbers. The Court has to manually convert these cases from Mainframe into their Odyssey data system since they did not do a data conversion in the beginning between the Mainframe and Odyssey so it is becoming a significant impact for them.

Star reported that Probation and Drug and Alcohol met with Judge Michael Duffy regarding the Adult Drug Court but they haven't seen any initial impacts from Prop. 47. They're considering expanding the definition of the adult drug court to include misdemeanants so that it would include those people who had been reduced from felonies due to Prop. 47. They are looking at 9 to 12 month's duration for programs now and a more voluntary type aftercare program. They haven't seen a mass exodus of people from Drug Court; it seems these persons are committed to staying in treatment.

VIII. Update on the Early Disposition Program (EDP) Court

Patricia attends four days a week. It is going pretty well and is functioning pretty efficiently especially with the probation violators. It is a good way to resolve cases and the Probation Officer is doing well with the persons in the courtroom. They refer out to four vertical courtrooms. Most attorneys have about five cases each. They are resolving and settling a lot of cases and this is attributed to the attorney teams.

IX. Community Recidivism Reduction Grant Request for Proposal (RFP) Update

Geoff O'Quest reported he has the draft RFP ready. He will be sending it out the first week of next year with a due date at the end of January. It will come to the CCP at the February meeting and then will go before the Board. There is \$50,000 available in \$10,000 increments for non-governmental agencies only. The CCP identified the following current gaps in service: leisure/recreation, positive peer associations, employment and education, family and marital, and life skills. Other services can be considered as well. Susan suggested something that includes transportation. Please give Geoff a list of the organizations that might be interested. He will send an email and will include the RFP document.

Next meeting dates will be Tuesday, January 20th and Tuesday, February 17th due to holidays. The meeting in March (3/16/15) will be held in room 161-162 of the County Government Center as the Probation classroom will not be available.

Meeting adjourned at 4:30 pm.

*Respectfully submitted,
Virginia Collie
CCP Secretary*